## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

| In re U.S. Patent Application of   |  |                                   |                               |                 |         |             |  |  |  |
|--|--|-----------------------------------|-------------------------------|-----------------|---------|-------------|--|--|--|
| YOSHIBA et al. ) Art Unit 1638   |  |                                   |                               |                 |         |             |  |  |  |
| App  | Application Number: 10/026,767  Application Number: 10/026,767  Application Number: 10/026,767  Application Number: 10/026,767 |                                   |                               |                 |         |             |  |  |  |
| File   | Filed: December 27, 2001   |                                   |                               |                 |         |             |  |  |  |
| For: Transgenic Rice Plant and its Family with   Environmental Stress Resistant by Proline   Accumulation of high level and its   Production   Comparison   Compa |  |                                   |                               |                 |         |             |  |  |  |
| Honorable Assistant Commissioner for Patents Washington, D.C. 20231  |  |                                   |                               |                 |         |             |  |  |  |
| Sir:   | COVER LETTER   |                                   |                               |                 |         |             |  |  |  |
| [x]  |  |                                   |                               |                 |         |             |  |  |  |
|  | For  | TOTAL WITH<br>NEW CLAIMS<br>ADDED | TOTAL<br>CURRENTLY ON<br>FILE | CLAIMS PAID     | RATE    | CALCULATION |  |  |  |
|  | Total Claims   | 21                                | 21                            | (Over 20)       | x \$50  | 0           |  |  |  |
|  | Independent<br>Claims  | 3                                 | 3                             | -XX<br>(Over 3) | x \$200 | 0           |  |  |  |
|  | MULTIPLE<br>DEPENDENT<br>CLAIM(S)  |                                   |                               |                 | + \$360 | 0           |  |  |  |
|  | REDUCTION FOR FILING BY SMALL ENTITY (note 37 C.F.R. §§ 1.9, 1.27, 1.28).  |                                   |                               |                 |         |             |  |  |  |
|  |  |                                   |                               | ТОТА            | L       | 0.00        |  |  |  |

In addition, the below-identified communications are submitted in the above-captioned application or proceeding:

| [ x ] Response to Office Action       | [ ] Petition for Extension of Time     |
|---------------------------------------|--|
| (with Claim Amendments)               | [ ] Terminal Disclaimer                |
| [ ] Substitute Specification          | [ ] Letter to Draftsperson             |
| [ ] Preliminary Amendment             | [ ] Assignment                         |
| [x] Request for Continued Examination | [x] Declaration under 37 C.F.R. §1.132 |
|                                       |  |

| ٠, | []  | Please charge my <b>Deposit Account Number</b> in the amount of to cover the fees for . A duplicate copy of this paper is enclosed.  |  |  |  |  |  |  |
|----|-----|--|--|--|--|--|--|--|
|    | [x] | A check in the amount of \$1,000.00 to cover the RCE fee is enclosed.  |  |  |  |  |  |  |
|    | [x] | The Commissioner is hereby authorized to charge any additional fees associated with this communication, including fees under 37 C.F.R. § 1.16 and 1.17, or credit any overpayment to <b>Deposit Account Number 08-1480</b> . |  |  |  |  |  |  |
|    |     | Respectfully submitted,  |  |  |  |  |  |  |
| -  |     | Stanley P. Fisher  |  |  |  |  |  |  |
|    |     | Registration Number 24,344  Fuan Carlos A. Marquez  Registration No. 34,072  |  |  |  |  |  |  |
|    |     | D SMITH LLP Fairview Park Drive  |  |  |  |  |  |  |

REED SMITH LLP 3110 Fairview Park Drive Suite 1400 Falls Church, Virginia 22042 (703) 641-4200 December 10, 2004